

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

United States of America,)	Case No.: 3:15CR00291
)	
Plaintiff,)	Judge James G. Carr
v.)	
)	
Darren Marvin Daniels, II,)	<u>FINAL ORDER OF FORFEITURE</u>
)	
Defendant.)	

WHEREAS, August 5, 2015, a 2-count indictment was filed charging defendant DARREN MARVIN DANIELS, II, with possessing a weapon after having been convicted of a felony, in violation of 18 U.S.C. § 922(g)(91), and possession with intent to distribute and distribution of heroin, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C). (R. 1: Indictment).

AND WHEREAS, the indictment further sought the forfeiture, pursuant to 18 U.S.C. § 924 and 28 U.S.C. § 2461(c), of the firearms and ammunition involved in the commission of the offenses used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in the indictment, including but not limited to specific firearms, as set forth in Counts 1 and 2. (R. 1: Indictment).

AND WHEREAS, on November 30, 2015, defendant DARREN MARVIN DANIELS, II, entered a plea of guilty to both Count 1, felon-in-possession of a firearm, 18 U.S.C. § 922(g)(1), and Count 2, possession with intent to distribute a controlled substance, 21 U.S.C. § 841(a)(1). (R. 18: Plea Agreement).

AND WHEREAS, by virtue of said guilty plea, the United States is entitled to possession of the subject property, pursuant to 21 U.S.C. § 853(n)(1).

AND WHEREAS, April 16, 2016, this Court issued a Preliminary Order of Forfeiture instructing the United States to publish notice on the Department of Justice's internet website at

www.forfeiture.gov to any third parties asserting a legal interest in the subject assets, the Court's Order and the United States' intent to dispose of the subject assets in such manner as the Attorney General may direct, pursuant to 21 U.S.C. § 853(n). (Doc. 26: Preliminary Order of Forfeiture; Doc. 30: Declaration of Internet Publication).

AND WHEREAS, no claims to the below-described assets were filed within the prescribed time limitation.

AND WHEREAS, the Judgment of defendant DARREN MARVIN DANIELS, II, was filed on May 24, 2016. (Doc. 32: Judgment).

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. The below-described assets are finally forfeited to the United States pursuant to 18 U.S.C. § 982(b) and 21 U.S.C. § 853(n), and no right, title or interest shall exist in DARREN MARVIN DANIELS, II, or any other party. Said assets are described as:

- (a) Norinco, model SKS, 7.62 X 39 rifle, serial number 1206248C, and
- (b) 50 rounds 7.62 X 39 ammunition,

and such assets are hereby forfeited to the United States for disposition in accordance with law, subject to the provisions of 21 U.S.C. § 853(n)(1).

2. The United States shall seize and take control of the subject assets, and shall dispose of them in accordance with law and regulation.

3. This Final Order of Forfeiture hereby extinguishes and renders invalid all other third party claims of any kind whatsoever against the subject assets.

ORDERED this 27th day of June, 2016.

/s/ James G. Carr

UNITED STATES DISTRICT JUDGE